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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/401,872	09/23/1999	RICHARD G. KETCHUM	09857/027001	5263

26161 7590 04/02/2004

FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. This communication is responsive to Appellants' Appeal Brief filed on January 15, 2004 (Paper No. 17), and the amendment to the claims filed on the same date (Paper No. 18).

2. The Amendments to claims 1 and 10, and cancellation of claims 2, 11 and 25-49 have been entered. The Appeal Brief filed on July 31, 2000 is defective because the brief does not contain a correct copy of the claims involved in the Appendix to the appeal brief.

In particular, the language of claims 1 and 10 in the Appendix to the appeal brief filed January 15, 2004 (Paper No. 17) differs from its last amended version filed on January 15, 2004 (Paper No. 18).

APPLICANT IS REQUIRED TO SUPPLY THE NECESSARY COPIES
WITHIN A TIME LIMIT OF ONE MONTH FROM THE DATE OF THIS LETTER OR
WITHIN TWO MONTHS FROM THE DATE OF THE NOTICE OF APPEAL OR
WITHIN THE TIME ALLOWED FOR RESPONSE TO THE ACTION APPEALED
FROM, WHICHEVER IS THE LONGER, TO AVOID DISMISSAL OF THE APPEAL.
NO EXTENSION OF THIS ONE MONTH TIME LIMIT MAY BE GRANTED
UNDER EITHER 37 C.F.R. § 1.136(a) OR (b), BUT THE TWO MONTH PERIOD FOR
FILING THE BRIEF MAY BE EXTENDED TO A MAXIMUM OF SIX MONTHS.

Art Unit: 3624

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (703) 305-4878. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (703) 308-1065. The fax number for Formal or Official faxes and Draft or Informal faxes to the Patent Office is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

N. Subramanian
March 30, 2004

Hani Kazimi
Primary Examiner



**HANI M. KAZIMI
PRIMARY EXAMINER**